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Summary record of the 23rd meeting
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Chairman: Mr. Rosenthal ..... (Guatemala)
later: Mr. Park Hae-yun ..... (Republic of Korea)
later: Ms. Dinić ..... (Croatia)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Mselle

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The meeting was called to order at 10.10 a.m.

Agenda item 116: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*) (A/54/793, A/55/499 and A/55/543)

Agenda item 123: Human resources management (*continued*) (A/53/955, A/54/257, A/54/279 and Corr.1, A/54/450, A/55/168, A/55/253 and Corr.1, A/55/270, A/55/399 and Corr.1, A/55/427 and A/55/499; A/C.5/54/2 and A/C.5/54/21; A/C.5/55/L.3 and A/C.5/54/L.3; A/C.5/55/CRP.1 and CRP.2)

1. **Ms. Salim** (Assistant Secretary-General for Human Resources Management), responding to questions posed by Member States, said that national competitive examinations were normally held in unrepresented and under-represented Member States. In addition, the countries whose representation in the Secretariat was in danger of falling below the lower limit of the desirable range were also invited to participate in those examinations. Referring to the comments of certain delegations with respect to the reservations expressed by staff representatives to the Secretary-General's proposals, she said that the Secretary-General had held a series of in-depth consultations with the staff representatives. Three regular and one special meeting of the Staff-Management Coordination Committee had been devoted to the subject of human resources management reform. Moreover, the staff at large had been kept informed about the proposed reforms. The Secretary-General was empowered, after consulting the staff and the management team, to make the decisions that he believed were in the best interest of the Organization. On the issue of contractual mechanisms, the Secretary-General wished at the current stage to hear the views of Member States before consulting the staff and management team and making recommendations to the General Assembly.

2. The growing importance attached to the issue of mobility as a criterion for promotion, rather than seniority, was especially justified in cases of posts with supervisory and managerial functions, which required broad experience. Mobility could also be between functions and offices within the same duty station. She agreed with the representative of the Joint Inspection Unit (JIU) that it was useful to have an ombudsman system in the Organization. The Secretary-General would take the conclusions of the upcoming staff/management working group on the strengthening of the system of justice in the United Nations into account in his recommendations.

3. The delegation of greater authority to programme managers with respect to personnel management should not in any way prevent them from undertaking their substantive functions. Indeed, departments and offices already had administrative services. On the other hand, human resources planning was a major component of resources management and therefore constituted one of the basic responsibilities of programme managers. The proposals and the reform of human resources management itself were meant to facilitate, and not to impede, the delivery of programmes mandated by Member States.

4. As far as the competitive examination for promotion to the Professional category of staff members from other categories was concerned, detailed information was provided in writing on the 1999 competitive examination, the facts relating to the implementation of General Assembly resolution 53/221 and those that had led to the decisions taken by the Secretariat.

5. Addressing the concerns expressed by certain delegations with respect to accountability mechanisms for managers, she said that detailed information had been provided thereon in documents A/54/793 and A/55/270. With the performance management plan, the Secretary-General had introduced a very innovative tool and the performance appraisal system allowed every staff member in the Secretariat to be held accountable. Measures had been taken to hold managers accountable; they included strengthening the management monitoring and reporting system, streamlining rules and procedures, and training and improvement of management practices. As far as the costs of the reform proposals were concerned, to date, the reform initiatives had been developed within the existing resources of the Organization and it was hoped that the same would hold true at the implementation stage. Turning to the late issuance of certain documents, she indicated the dates on which they had been received by the departments concerned.

6. **Mr. Abdalla** (Libyan Arab Jamahiriya) said that he had been surprised to hear the representative of the Secretariat say that the Secretary-General was obliged to consult the staff on the question of reforms, since

that was not what the staff representatives had indicated in their statements to the Committee or at meetings of the Group of 77. He was not at all convinced, moreover, that it was for the Secretary-General to take the decisions that were necessary to safeguard the interests of the Organization. The decision-making power of the Secretary-General, which was the object of Articles 97, 98 and 99 of the Charter, had been subject in the past to different interpretations, a few examples of which he wished to cite, but there was nothing to suggest that that power took precedence over the prerogative of the General Assembly. He would welcome a discussion of that issue or a legal opinion on it.

7. With regard to the cost of the reform, his delegation would welcome a clear response to the question of whether, at a later stage, the implementation of the proposed measures would require additional resources or transfers from one budget head to the other. It was of the view that the element of mobility, of whose advantages it was well aware, should not take precedence over performance as a criterion for promotion. In all fairness, it was professional conduct that should determine the rapidity of professional advancement.

8. He noted from the report of the Advisory Committee on Administrative and Budgetary Questions on results-based budgeting (A/55/543) that the external factors capable of having an impact on the implementation of programmes would be evaluated by programme managers and he therefore doubted whether, under those conditions, the evaluations were objective. The method of results-based budgeting was, moreover, very controversial and used by very few countries and he wondered whether the budgeting process should be based on elements that were so uncertain.

9. *Mr. Park Hae-yun (Republic of Korea), Vice-Chairman, took the Chair.*

10. **Mr. Fedorov** (Russian Federation) recalled that it was not the first time that an attempt was being made to modernize human resources management, including delegation of authority, but that those efforts had been in vain. They seemed to falter over the question of human resources planning, which appeared to create excessive work for heads of departments. The amount of the allocations to be eventually assigned to the regular budget to provide departments with the necessary staff was nowhere indicated. Moreover, the information provided concerning the competitive examination for promotion to the Professional category did not satisfy his delegation, which insisted on a written response to its questions. It wished to know, among other things, how it was that 16 successful candidates had been promoted subsequent to the adoption of resolution 53/221 and why a competitive examination had been held in February 2000, in contravention of the provisions of the above-mentioned resolution. His delegation was strongly opposed to the holding of a competitive examination in 2001 and wished to stress that the provisions of resolution 53/221 concerning the principle of equitable geographic distribution applied both to candidates who had passed the competitive examination for promotion to the Professional category and to those who had passed the national competitive examinations.

11. **Mr. Chandra** (India) briefly reviewed certain aspects which in his view were constructive, particularly the extent of the consultations that had taken place with the staff, the introduction of an annual evaluation of the performance of each staff member, the establishment of modalities for monitoring the implementation of mandates given by the General Assembly, and the creation of the post of mediator. In that connection, he noted with satisfaction the observations of the Joint Inspection Unit and would be grateful if the Office of Human Resources Management could provide detailed information in writing. He noted that the Staff Management Coordinating Committee was due to meet shortly and hoped that the Committee would be in a position to take its conclusions into account. With that in mind, the Committee should speed up its work.

12. **Mr. Elgammal** (Egypt) said that the Secretary-General did not have the authority to introduce modifications that had not been approved by the General Assembly in a resolution. He had therefore been wrong to promote candidates who had passed the competitive examination for promotion to the Professional category. In the absence of a fresh decision by the General Assembly, he was obligated to abide by the provisions of paragraph 22 of section V of resolution 53/221. His delegation would also welcome confirmation that, at the current stage of the review of contractual arrangements, the Secretary-General was merely seeking to gather the views of Member States and was not waiting on the General Assembly to take a

decision. Lastly, he wished to invite the Secretariat to respond in writing to the questions posed by the representative of Nigeria on behalf of the Group of 77 and China.

13. **Mr. Kadiri** (Morocco) noted that permanent contracts were no longer included in the types of contracts contemplated in document A/55/253 and wondered whether that omission should be viewed as an indication of an intention to eliminate permanent contracts.

14. **Mr. Chaudhry** (Pakistan) said that the principle of equitable geographic distribution should be applied throughout the United Nations system. He would like the Secretariat to provide in the informal consultations written information on the mechanisms that currently governed the application of that principle as well as a reference to the texts that contained the authorization, together with clarification of the irregularities that had been identified in the area of travel management.

15. **Mr. Farid** (Saudi Arabia) said that his delegation wished to reserve the right to return to the matter, particularly those aspects relating to the delegation of authority and accountability.

16. **Ms. Salim** (Assistant Secretary-General for Human Resources Management) said that the Secretariat believed it could implement the human resources management reform without additional resources, unless the proposals on the establishment of a post of ombudsman and legal support for staff members were adopted. The strengthening of the Administrative Law Unit would also require additional resources. On the other hand, the new functions to be assigned to departments could be assumed by each department's existing Executive Office; it would simply be a matter of redefining their duties. All the factors necessary for the success of the reform were already in place (training, streamlining of rules and procedures, counsel, integrated human resources management system).

17. The diverging views expressed on the issue of linkage between mobility and promotion would be considered in the consultations. In reply to the Indian delegation, she said that the conclusions reached by the working group consisting of representatives of the Administration and the staff would be communicated to the Committee as soon as possible. With respect to contractual arrangements, she confirmed, in reply to the Egyptian delegation, that the Secretary-General did not expect any decision from the General Assembly at the current stage, but wished only to hear its views before pursuing the consultations.

18. The Secretariat would prepare a note for delegations on the difference between permanent appointments and continuing appointments so that they could give their opinions on the subject. It would also provide a written reply to the questions on the competitive examination for promotion to the Professional category, explaining, in particular, the reasons why the successful candidates from the 1999 examination had been promoted.

Agenda item 118: Programme planning (*continued*)
(A/55/6 (Introduction and programmes 1 to 25), A/55/16, A/55/63, A/55/73 and A/55/85; A/C.5/55/14, A/C.5/55/17, A/C.5/55/18, A/C.5/55/19 and A/C.5/55/20)

19. **Mr. Hamidullah** (Bangladesh) said that he supported the statement made by the representative of Nigeria on behalf of the Group of 77 and China and that Bangladesh endorsed the conclusions and recommendations of the Committee for Programme and Coordination (CPC), particularly with respect to various programme fascicles of the proposed medium-term plan. However, it wished that CPC had concluded its deliberations on programme 19, Human rights, to which Bangladesh attached high priority.

20. His delegation would like the Third Committee to examine the programme in more detail and to give the Fifth Committee its views on the programme fascicle. Document A/C.5/55/20, which communicated the views of three members of the Third Committee on that programme, was not representative of the views of all the members.

21. The medium-term plan, which translated the Member States' decisions into programmes and served as the framework for the programme budgets prepared during the period covered by the plan, was the key policy document of the Organization. His delegation, which endorsed that framework, felt that sufficient resources should be provided for the full implementation of the programmes it contained.

22. His delegation welcomed the new format of the plan, but felt that, in some of the fascicles, the objectives proposed were not clearly linked to the expected accomplishments or strategies; the strategies often were not clearly defined; and indicators of

achievement did not always make it possible to measure achievements in an objective manner. His delegation supported the revisions proposed by CPC with respect to a number of indicators of achievement. It also supported the recommendation concerning the distinct responsibilities of the Secretariat and Member States in relation to expected accomplishments and indicators of achievement (A/55/16, para. 43).

23. *Ms. Dinić (Croatia), Vice-Chairman, took the Chair.*

24. **Mr. Chandra** (India) commended CPC for the quality of its report and asked the Chairman of the Fifth Committee to write to the Chairman of the Third Committee to request that the latter Committee should begin its consideration of programme 19 of the medium-term plan at the beginning of the following week. The work of the Fifth Committee would be greatly facilitated if the Third Committee reached a consensus on that programme. However, in the absence of such a consensus, two solutions were possible. The Committee could either adhere to the provisions of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation by deleting the reference to indicators of achievement in the programme narrative, or proceed according to the proposal of the representative of Nigeria by adopting the text of the programme on human rights contained in the preceding medium-term plan.

25. His delegation would participate actively in seeking a consensus on the need to translate all legislative mandates into programmes and to make the necessary resources available for their implementation. India's position on the new format of the medium-term plan was very flexible, and it considered that the format was generally satisfactory.

26. **Mr. Sach** (Director, Programme Planning and Budget Division), replying to questions and observations concerning the draft medium-term plan for the period 2002-2005 as presented by the Committee for Programme and Coordination (CPC), noted that the expected accomplishments and indicators of achievement had been the subject of much criticism. Those concepts, which had been used for the first time in the current draft plan, had already been considerably improved by CPC, which had modified them so that they would better reflect the views of Member States. The process should continue to evolve, both in informal consultations in the Fifth Committee during the present session and during the preparation of the draft programme budget for the 2002-2003 biennium.

27. Many delegations had underscored the need to establish a closer correlation between the medium-term plan and the budget so as to ensure the proper application of PPBME Rules and to facilitate monitoring and evaluation. The new format of the plan and the use of new concepts (objectives, strategy, expected accomplishments and indicators of achievement) should assist in that endeavour. Thus, the objectives pursued would be listed in the next programme budget, which would explicitly link it to the medium-term plan. The Secretariat hoped, as far as the expected accomplishments and indicators of achievement were concerned, to be able to establish such linkages between the two documents.

28. Some remarks had been made, including by one regional group, concerning the PPBME Rules. After the adoption of General Assembly resolution 53/207 whereby the Assembly had amended certain Regulations, the Secretary-General had changed the relevant Rules. Replying to the delegations which considered that the Secretariat had ignored certain provisions of resolutions 53/207 and 54/236 pertaining to the question, he said that such had not been the case. The respective prerogatives of Member States and the Secretariat concerning changes to be made to the Regulations and Rules had been the subject of lengthy discussions within CPC. At the fifty-fourth session, the Fifth Committee had given careful consideration to the changes to be made to the Rules in light of the amendments made to the Regulations, and had adopted revised Rules which the Secretary-General had been asked to incorporate in the PPBME Rules. The Secretary-General had immediately incorporated 21 of the 26 revised rules, but had considered that the five remaining Rules should be reformulated in order to ensure their proper application and to respect the spirit of the Regulations. Such a revision was fully within his competence, as it was for the General Assembly to adopt the Regulations and for the Secretary-General to adopt the implementing Rules for the Regulations. The Secretariat had provided CPC with the revised text of the five Rules in question. It was also prepared to communicate it to delegations during the informal consultations and to provide them with any further information.

29. That same regional group had considered that the new format of the medium-term plan did not clearly indicate the link between objectives and mandates. In fact, programme objectives were formulated on the basis of the mandates. The Organization was given a multitude of distinct mandates and was forced to summarize and consolidate them. However, it formulated the objectives of each programme and subprogramme in a sufficiently explicit manner for Member States to have a clear vision and for them to be able to propose amendments if they considered that those objectives did not faithfully reflect the mandates the Organization had been given. As the objectives would, in future, be placed under a separate heading, it should be easier to relate them to the mandates.

30. The group in question had also said that it had noted that mandates were being pursued selectively. For each biennium the Organization received hundreds of mandates which came not only from the General Assembly, but also from the Economic and Social Council and the Security Council bodies. It was therefore essential to summarize and consolidate them. For each programme, the Secretariat chose the most representative mandates and drew up a selective list of resolutions and decisions to be highlighted. That list was then examined by CPC, which proposed additions, deletions or amendments.

31. The Secretariat had been criticized for not considering the role of external factors. Programme directors had been instructed to do so when they submitted their proposed budgets for the biennium 2002-2003. The Secretariat did not believe that such detail was necessary in the context of the medium-term plan.

32. Lastly, several delegations had requested information concerning the implications the new format of the medium-term plan would have on the rest of the programming and evaluation cycle. The new format had been adopted for the specific purpose of strengthening the relationship between the various phases of the cycle, allowing the Organization to improve the planning, budgeting and implementation of its programmes and improving the ability of the Fifth Committee and CPC, as well as the oversight bodies, to follow up and evaluate programmes at all stages. The question had been considered within CPC and had been the subject of a briefing paper drawn up at CPC's request (A/C.5/55/14).

33. **Mr. Tommo Monthe** (Chairman of the Committee for Programme and Coordination), replying to a question posed by the Cuban delegation on the manner in which the Fifth Committee would deal with questions other than the medium-term plan handled by the Committee for Programme and Coordination (CPC) at its fortieth session, said that delegations would be able to express their views in informal consultations and that the draft resolution to be submitted to the Fifth Committee following the consultations could include several sections.

34. Concerning programme 19 of the medium-term plan (Human rights), CPC had been unable to conclude the negotiations, either during the first part of its fortieth session, in June, or when it had resumed its work in August, and the hope that the Economic and Social Council would be able to do so at its July session had unfortunately not been borne out. The Third Committee, which had been considered the most competent as it had issued the mandate for that programme, had been unable to present one set of observations (A/C.5/55/20). Since the Third Committee had been unable, when formally requested, to supply the desired answers, the Fifth Committee would have to negotiate the contents of the programme before the end of the current part of the session. Given the importance of the programme, it was not possible to postpone the issue or to prolong the current programme of activity just because no agreement had been reached on a new one.

35. **Ms. Silot Bravo** (Cuba) sought clarification concerning the means of considering reports of interest to CPC. As not all countries were members of CPC, it would be useful for the General Assembly to reconsider those documents. Her delegation would like the replies offered by Mr. Sach to be communicated in writing. While it was within the competence of the Secretary-General to issue Rules that followed new Regulations adopted by the General Assembly, that did not entitle the Secretariat to make changes which went in a direction that Member States had already rejected. The Secretariat's amendments should be clearly communicated to delegations so that they could be considered in informal discussions. Concerning the mandate given by deliberative-making bodies, Regulation 4.2 stated that "The medium-term plan shall be a translation of legislative mandates into programmes and subprogrammes". It did not state that effect must be given only to certain mandates in the

medium-term plan. The Secretariat was thus not justified in ignoring some of them, unless it could indicate the criteria which had prompted its decision.

36. Document A/C.5/55/14 contained many categorical statements, but did not answer the General Assembly's question concerning the implications the changes would have on budgeting, in other words on the way resources were allocated. Nor did it indicate the link between the results of evaluations and the allocation of resources.

37. **The Chairman** said that if there were no objections she would take it that the Committee had concluded its general discussion of agenda item 118.

38. *It was so decided.*

The meeting rose at 11.50 a.m.